



Attorney Docket No. 1148/039

3736

Handwritten initials and date: *Handwritten initials*  
7/23/03

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit 3736 : PATENT APPLICATION

Examiner David J. McCrosky :

In re application of :

**APPARATUS FOR MONITORING HEALTH,  
WELLNESS AND FITNESS**

TELLER ET AL :

Serial No. 09/923,181 :

Filed August 6, 2001 :

**RECEIVED**  
JUL 18 2003  
TECHNOLOGY CENTER R3700

**INFORMATION DISCLOSURE STATEMENT**

Pittsburgh, Pennsylvania 15222

July 10, 2003

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the provisions of 37 C.F.R. §§1.51, 1.56, 1.97 and 1.98, the art identified on attached form PTO-1449 enclosed herewith is cited in connection with the captioned application. The applicants hereby request the Examiner to review and make an independent evaluation of the art. By filing this Information Disclosure Statement, the

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on:

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July 10, 2003  
Date of Deposit

\_\_\_\_\_  
Barry I. Friedman, Esq.  
Name of Person Signing

\_\_\_\_\_  
Signature

applicants are not admitting that any reference actually qualifies as prior art, and applicants reserve the right to argue that any reference does not qualify as prior art should they deem it necessary to do so. Copies of the following references are provided:

Alyfuku et al., United States Patent No. 5,410,471

Frid et al., United States Patent No. 5,857,967

Groezinger, United States Patent No. 6,101,407

Putnam, United States Patent No. 6,138,079

Alleckson et al., United States Patent No. 6,336,900

Reuss et al., United States Patent No. 6,364,834

Delestienne et al., United States Patent No. 6,377,162

Haines et al., United States Patent No. 6,385,473

New, Jr. et al., United States Patent No. 6,494,829

Cosentino et al., United States Publication No. US 2001/0056229 A1

Geva, United States Publication No. US 2002/0128804 A1

*Warfighter Physiological Status Monitoring*, 1999 MOMRP Fact Sheet  
No. 6, USAMRMC Military Operational Medicine Research Program

*The H.J. Andrews Climatological Field Measurement Program*, Henshaw, D.,  
August 9, 1997

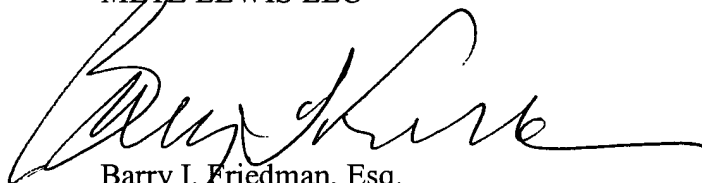
No fee is believed to be required in connection with the filing of this Information Disclosure Statement under 37 C.F.R. §1.17(p) since it is being filed in compliance with 37 C.F.R. §1.97(c), after the mailing of the first Office Action but before the mailing date of a final action or a Notice of Allowance in the above-captioned application. I hereby certify that no item of information in this Information Disclosure Statement to my knowledge, after making

reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Applicants believe that their APPARATUS FOR MONITORING HEALTH, WELLNESS AND FITNESS as described and claimed in the present application is neither taught nor suggested by this art. Accordingly, applicants' invention is believed to be patentable over these references.

Respectfully submitted,

METZ LEWIS LLC

A handwritten signature in black ink, appearing to read 'Barry I. Friedman', written over the printed name.

Barry I. Friedman, Esq.

Reg. No. 33,695

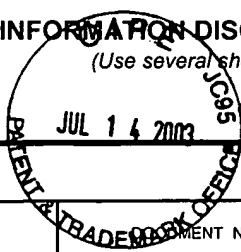
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# INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)



ATTY DOCKET NO.

1148/039

SERIAL NO.

09/923,181

Teller et al.

FILING

August 6, 2001

GROUP

3736

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,410,471	4/25/95	Alyfuku et al.			
	5,857,967	1/12/99	Frid et al.			
	6,101,407	8/8/00	Groezienger			
	6,138,079	10/24/00	Putnam			
	6,336,900	1/8/02	Alleckson et al.			
	6,364,834	4/2/02	Reuss et al.			
	6,377,162	4/23/02	Delestienne et al.			
	6,385,473	5/7/02	Haines et al.			
	6,494,829	12/17/02	New, Jr. et al.			
	US 2001/0056229 A1	12/27/01	Cosentino et al.			
	US 2002/0128804 A1	9/12/02	Geva			

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## FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		Warfighter Physiological Status Monitoring, 1999 MOMRP Fact Sheet No. 6, USAMRMC Military Operational Medicine Research Program. [Retrieved from Internet. URL : < <a href="http://www.momrp.org/publications/WPSM.pdf">http://www.momrp.org/publications/WPSM.pdf</a> >.
		Henshaw, D., THE H.J. ANDREWS CLIMATOLOGICAL FIELD MEASUREMENT PROGRAM, August 9, 1997. [Retrieved from Internet. URL : < <a href="http://www.fsl.orst.edu/lter/research/component/climate/summary.cfm?sum=clim97&amp;topnav=57">http://www.fsl.orst.edu/lter/research/component/climate/summary.cfm?sum=clim97&amp;topnav=57</a> >

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.